

EXHIBIT

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From: Knapp, Cody T. (CIV) <Cody.T.Knapp@usdoj.gov>
Sent: Monday, May 15, 2023 1:16 PM
To: Steve Crampton
Cc: Adam Hochschild; Dusty Fillmore; Chad Fillmore; Michael McHale; Mary Catherine Hodes; Nathaniel Loyd; Paul Jonna; Walker, Johnny H. (CIV)
Subject: RE: [EXTERNAL] Re: Jackson v. Mayorkas - Filing re Marcennelle SSB Request

Not at this time, no.

Cody T. Knapp | Trial Attorney
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From: Steve Crampton <scrampton@thomasmoresociety.org>
Sent: Monday, May 15, 2023 1:06 PM
To: Knapp, Cody T. (CIV) <Cody.T.Knapp@usdoj.gov>
Cc: Adam Hochschild <adam@hochschildlaw.com>; Dusty Fillmore <dusty@fillmorefirm.com>; Chad Fillmore <chad@fillmorefirm.com>; Michael McHale <mmchale@thomasmoresociety.org>; Mary Catherine Hodes <mchodes@thomasmoresociety.org>; Nathaniel Loyd <nathaniel.loyd@thomasmoresociety.org>; Paul Jonna <pjonna@limandri.com>; Walker, Johnny H. (CIV) <Johnny.H.Walker@usdoj.gov>
Subject: Re: [EXTERNAL] Re: Jackson v. Mayorkas - Filing re Marcennelle SSB Request

Thanks, Cody. So, to be clear, you are unable to provide us even an estimate as to how long it might take?

Steve

Stephen M. Crampton, Esq.

Senior Counsel

Thomas More Society

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On Mon, May 15, 2023 at 11:55 AM Knapp, Cody T. (CIV) <Cody.T.Knapp@usdoj.gov> wrote:

Hi Steve,

We do not have further information at this time regarding when the board will be convened. As the memorandum notes, "requests for special selection board and matters of record are still being received by

OPM.” And as I’ve noted previously, the Coast Guard desires to treat similarly situated members in a consistent manner. SSBs are resource intensive—they require a great deal of advance work by the Personnel Service Center, participation in SSB becomes that member’s primary duty for the duration of the board, and members cannot sit on successive boards. In light of those significant resource requirements, the Coast Guard is still determining the most equitable and efficient means of conducting the requested SSBs alongside all the other boards it must conduct in the coming months. Additional details and guidance will be provided once those decisions are made.

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From: Steve Crampton <scrampton@thomasmoresociety.org>

Sent: Monday, May 15, 2023 11:04 AM

To: Knapp, Cody T. (CIV) <Cody.T.Knapp@usdoj.gov>

Cc: Adam Hochschild <adam@hochschildlaw.com>; Dusty Fillmore <dusty@fillmorefirm.com>; Chad Fillmore <chad@fillmorefirm.com>; Michael McHale <mmchale@thomasmoresociety.org>; Mary Catherine Hodes <mchodes@thomasmoresociety.org>; Nathaniel Loyd <nathaniel.loyd@thomasmoresociety.org>; Paul Jonna <pjonna@limandri.com>; Walker, Johnny H. (CIV) <Johnny.H.Walker@usdoj.gov>

Subject: Re: [EXTERNAL] Re: Jackson v. Mayorkas - Filing re Marcennelle SSB Request

Cody,

We did have additional questions about this new development, which my email to you failed to include (I had prepared it on my phone and the questions were inadvertently omitted). For example, Capt. Dougan's Memo refers to "extenuating circumstances" dictating the timeline for any Special Selection Board convenings. What exactly are these extenuating circumstances? And what are the applicable "service needs" that will influence the scheduling of the board meeting? As it stands, there seems to be no assurance whatsoever that LTJG Marcenelle will in fact receive a board meeting within the foreseeable future. Are you able to provide any

additional information concerning when the board may be convened for LTJG Marcenelle?

Thanks,

Steve

Stephen M. Crampton, Esq.

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On Mon, May 15, 2023 at 9:19 AM Knapp, Cody T. (CIV) <Cody.T.Knapp@usdoj.gov> wrote:

Thanks so much, Steve.

Cody T. Knapp | Trial Attorney

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From: Steve Crampton <scrampton@thomasmoresociety.org>
Sent: Saturday, May 13, 2023 9:47 AM
To: Knapp, Cody T. (CIV) <Cody.T.Knapp@usdoj.gov>
Cc: Adam Hochschild <adam@hochschildlaw.com>; Dusty Fillmore <dusty@fillmorefirm.com>; Chad Fillmore <chad@fillmorefirm.com>; Michael McHale <mmchale@thomasmoresociety.org>; Mary Catherine Hodes <mchodes@thomasmoresociety.org>; Nathaniel Loyd <nathaniel.loyd@thomasmoresociety.org>; Paul Jonna <pjonna@limandri.com>; Walker, Johnny H. (CIV) <Johnny.H.Walker@usdoj.gov>
Subject: [EXTERNAL] Re: Jackson v. Mayorkas - Filing re Marcennelle SSB Request

Cody,

We appreciate your providing us this information before filing it. We do not object to your filing

On May 12, 2023, at 2:45 PM, Knapp, Cody T. (CIV) <Cody.T.Knapp@usdoj.gov> wrote:

Counsel,

Following up on our recent status conference, we intend to file on the docket the attached response to Michael Marcenelle's request to convene a special selection board. Please let us know today if you have any concerns with that approach.

Thanks,

Cody T. Knapp | Trial Attorney

U.S. Department of Justice

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<SSB_Marcenelle_SignedDogan.pdf>